IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE A.K.BASHEER

THURSDAY, THE 9TH AUGUST 2007 / 18TH SRAVANA 1929

WP(C).No. 20512 of 2007(P)

PETITIONER:

DR.ARUNA DEVI,
LECTURER, DEPARTMENT OF ZOOLOGY,
ST. THOMAS COLLEGE, RANNY.

BY ADV. SRI.BABU VARGHESE

RESPONDENTS:
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1. THE MANAGER,
ST.THOMAS COLLEGE, RANNY.

2. THE MAHATMA GANDHI UNIVERSITY,
REPRESENTED BY ITS REGISTRAR,
PRIYADARSHINI HILL P.O.,
KOTTAYAM.

3. THE STATE OF KERALA, REPRESENTED BY ITS
PRINCIPAL SECRETARY, GOVERNMENT SECRETARIAT,
TRIVANDRUM.

4. THE DIRECTOR OF COLLEGIATE EDUCATION,
VIKAS BHAVAN, PMG JUNCTION,
TRIVANDRUM.

5. THE DEPUTY DIRECTOR OF COLLEGIATE
EDUCATION, KOTTAYAM.

BY GOVT. PLEADER SRI. A.J. VARGHESE
ADV. SRI. T.A. SHAJI, SC, M.G.UNIVERSITY

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 09/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

A.K. BASHEER, J.

W.P.(C). NO. 20512 OF 2007

Dated this the 9th day of August, 2007

J U D G M E N T

The grievance of the petitioner, who is stated to be working as Lecturer in Zoology in St. Thomas College, Ranny, is that her appointment is not being approved by the University without any valid or justifiable reasons. Consequently she is not being paid salary though she has been working in the College for the last more than 3 years.

2. It appears that petitioner was initially appointed in the College with effect from August 2, 2004 against a leave vacancy. According to her, Ext.P1 shows that the said appointment was approved. Later, petitioner was shifted against a permanent vacancy with effect from April 1, 2005, as could be seen from Ext.P2. It is the said appointment which is yet to be approved by the University.

3. Learned counsel for the petitioner points out that Ext.P3 proposal was forwarded by the management way back in July 2005. But the University has refused to take any decision in the matter so far.

4. Learned Standing Counsel for the University, after getting instructions, submits that the case of the petitioner was not considered in view of the amendment brought into Section 59(1) of the Mahatma Gandhi University Act in the year 2005. He further submits that the Syndicate of

the University has now resolved to take up all pending proposals including that of the petitioner in a time bound manner, particularly in view of the judgment rendered by a Division Bench of this Court in W.A. 940/07 and connected cases. He submits that a decision in the matter will be taken without any further delay.

In the above facts and circumstances, the writ petition is disposed of with a direction to respondent No.2 to consider and pass orders on Ext.P3 proposal for approval of appointment of the petitioner strictly on its merit and in accordance with law, as expeditiously as possible, at any rate, within two months from the date of receipt of a copy of this judgment. If the appointment is approved by the the University, it will be open to the petitioner to approach respondent No.5 in which event, respondent No.5 shall ensure that consequential orders for grant of all benefits to the petitioner are passed without any delay.

The writ petition is disposed of in the above terms.

A.K. BASHEER, JUDGE

vps

A.K. BASHEER, JUDGE

OP NO.20954/00

JUDGMENT

1ST MARCH, 2007